

Exhibit 304

United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.
v. Dey, Inc., et al., Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

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April 4, 2007

Philadelphia, PA

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STATE OF WISCONSIN CIRCUIT COURT

DANE COUNTY, BRANCH 7

STATE OF WISCONSIN, :

:

Plaintiff, :

: Case No. 04-CV-1709

vs. : Unclassified-Civil:

: 30703

AMGEN, INC., et al., :

Defendants. :

(CAPTION CONTINUED)

Oral deposition of KATE TERINGER,

was taken, pursuant to notice(s), at THE

PHILADELPHIA AIRPORT MARRIOTT, One Arrivals

Road, Business Suite No. 822, Philadelphia,

Pennsylvania, on Wednesday, April 4, 2007,

beginning at 11:50 a.m., before, M. Kathleen

Muino, Professional Shorthand Reporter and

Notary Public, there being present:

- - -

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1 were explaining what the unit price is, and you
2 mentioned that it was the actual price, not to be
3 confused with the purchasing price?

4 A. Correct.

5 Q. I just want to make sure I understand what
6 that means. Can you just kind of try to explain
7 that a little more?

8 A. In the sale record, the unit price is the
9 price the customer is charged for that line item,
10 not to be confused with any other pricing that
11 might happen within receiving. Obviously, if
12 AmerisourceBergen receives a product, that unit
13 price is different from the price charged to the
14 customer.

15 Q. Would the unit price be the same as a
16 contract price?

17 A. It could be, if the item was sold on
18 contract.

19 Q. Okay. And --

20 A. With a markup, usually. So you would have
21 the contract price and a markup applied.

22 Q. So the unit price would equal a contract

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1 price plus markup?

2 A. Yes, if it's a contract sale.

3 Q. Are there any discounts or anything that
4 would be taken into consideration with the unit
5 price?

6 A. Not at that point.

7 MS. EATHERTON: Okay. That's it for my
8 questions.

9 MR. DUEFFERT: I have one follow-up and
10 then we can go to the phone.

11 - - -

12 RE-CROSS-EXAMINATION

13 - - -

14 BY MR. DUEFFERT:

15 Q. On unit price, as shown in the data, would
16 that reflect all shipping and handling charges
17 charged to the customer?

18 A. No, actually, I don't think it does. There's
19 a shipping and handling charge that is calculated
20 separately and kept in the invoice header. So
21 freight charges are calculated outside that unit
22 price charged to the customer. That's their price